UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,048	12/14/2001	Matthias Stefan Bierbrauer	DE920000125US1	7481

46320　　7590　　09/20/2006	EXAMINER
CAREY, RODRIGUEZ, GREENBERG & PAUL, LLP STEVEN M. GREENBERG 1300 CORPORATE CENTER WAY SUITE 105G WELLINGTON, FL 33414	LUDWIG, MATTHEW J

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *30 June 2006*.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-17* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-17* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: Amendment filed 10/06/05.

2.   Claims 1-17 are pending in the case. Claims 1, 5, 10, and 13, are independent claims.

3.   Claims 1-17, remain rejected under 35 U.S.C. 103(a) as being unpatentable over Sorge in

view of Mosley. Claims 1-17 rejected under 35 U.S.C. 101 as being directed to non-statutory

subject matter have been withdrawn pursuant to applicant's arguments.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.   **Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sorge et**

al., USPN 6,613,098 filed (6/15/99) in view of Moseley, Microsoft Office 97, Professional

Edition, Second Edition, 1997.

In reference to independent claim 1, Sorge teaches:

Whenever possible EXCEL uses existing HTML tags to save the spreadsheet data into

the HTML document. Tags related to the document and more specifically, to the document

structure provide a suggestion of the limitation (compare to *"obtaining structure information*

describing the document structure"). See column 14, lines 1-43.

A browser program will properly display the color as either blue or black for the values

inserted into the HTML document, but HTML provides no mechanism for changing the cell

color as a function of the value of the cells. This type of formatting information is persisted by writing the information in XML, which suggests the meta information describing the documents properties (compare to *"obtaining meta information describing the document properties"*). See column 12, lines 45-67 & column 13, lines 1-34.

MSO-Ignore enables EXCEL to differentiate between EXCEL parented data in an HTML document that should be displayed in EXCEL as a red front all the time and EXCEL parented data in an HTML document that should be displayed in EXCEL as a red font only if certain criteria are met (compare to *"obtaining document content"*). See column 9, lines 1-40.

The original formatting of the data in the parent spreadsheet program is also incorporated into the HTML document, such that the original formatting is ignored by a browser program, but available to be used by the parent spreadsheet program to recreate the original formatting when the data from the HTML document is reintroduced into the parent spreadsheet program (compare to *"creating a physical representation for the document based on the obtained structural information, meta information, and document content"*). See column 4, lines 20-67. The Examiner broadly interprets creating a physical representation. A proficient example of a physical representation would be the document data inserted into the cells by the rountripping methods taught by Sorge.

The reference fails to explicitly state "transferring the created physical representation to the document repository", however, Moseley teaches a method that combines the benefits of worksheets and a document repository that is called a workbook. The linking method of Moseley provides the user with the flexibility of distributed spreadsheet technology that effectively leverages the infrastructure of the Internet. More specifically, the reference points to the retrieval

of spreadsheet data from a repository or workbook. See Moseley, Chapter 20, pages 503-520. It

would have been obvious to one of ordinary skill in the art, having the teachings of Sorge and

Moseley before him at the time the invention was made, to modify the spreadsheet presentation

methods taught by Sorge to include the repository methods of Moseley, because it would have

given the user proficient access to data collections through the stored procedures provided by the

document processing system.

In reference to dependent claim 2, Sorge teaches:

When the complete contents of such a file are translated into HTML, as is required for

roundtripping, a collection of files, such as HTML, graphics, and binary are generated. See

column 7, lines 55-67.

In reference to dependent claim 3, Sorge teaches:

The MSO-ignore property suggests a document identifier for the moved document. The

employment of said identifier, if found, allows the browser program to ignore formatting

instructions. See column 13, lines 1-35.

In reference to dependent claim 4, Sorge teaches:

The original formatting of the data in the parent spreadsheet program is also incorporated

into the HTML document, such that the original formatting is ignored by a browser program, but

available to be used by the parent spreadsheet program to recreate the original formatting when

the data from the HTML document is reintroduced into the parent spreadsheet program

In reference to claims 5-9, the limitations reflect the methods comprising instructions used for

performing the methods as claimed in numbers 1-4, and in further view of the following, are

rejected along the same rationale.

In reference to claims 10-17, the limitations reflect the system comprising instructions used for performing the methods as claimed in numbers 1-4, and in further view of the following, are rejected under similar rationale.

Response to Arguments

6.   Applicant's arguments with respect to claims 1-17 have been considered but are not persuasive.

Applicant argues on pages 3 and 4 of the amendment that passages referred to by the Examiner are silent with regard to the document structure and document properties as claimed in the independent claim. More specifically, applicant believes the passages referred to by the Examiner are directed to the structure and properties of the content of the document. The examiner would like to begin by looking at the first two limitations of the independent claim. Both limitations, "obtaining structural information describing the document structure" and "obtaining meta information describing the document properties" are suggested by Sorge reference when Excel 2000 initiates the process of saving the spreadsheet data in the HTML format, using HTML, XML, and CSS. Excel will save a table created by the user including all formatting, formulas, and names associated with the table. The document structure is suggested when the Excel document is transformed into an HTML document. Information about the structure of the Excel document is recognized by a web page when it is selected for the transformation. Also, the formatting information collected in relation to the table saved suggests meta information describing document properties. Applicant is reminded that because the claim limitations are to be given their broadest reasonable interpretation within the scope of the art, the

claim language (as presently claimed) fails to preclude the Examiner from utilizing the Sorge

reference in the detection of structural information and meta information describing the

document structure/properties.

The Examiner read all of the limitations of the claim into when utilizing the Sorge

reference to teach/suggest the 'creation of a physical representation for the document based on

the obtained structural information, meta information, and document content'. Sorge provides a

physical representation of the Excel table when it is saved as a web page or into a web page. The

Sorge provides a proficient example of the claimed features when read as a whole. When the

logic of saving Excel tables proceeds after a selection the table is transferred and saved using

HTML, XML, and CSS. See column 14, lines 1-57.

In reference to claims 4 and 12 the physical representation is representative of the structured

information, meta information, and document content. Sorge states that a single Excel file can

contain many types of data, including one or more spreadsheets, graphics such as charts,

formatting information, and information relative to specific Excel features. When the complete

contents of such a file are translated into HTML, as is required for roundtripping, a collection of

files, such as HTML, graphics, and binary are generated. This collection of files, which

represents the entire contents of a file originally created in the Excel file format, will be

collectively referred to as a roundtripable HTML document.

In reference to claims 5-9, applicant states the Examiner has committed gross errors in making

the assertion that claim 5-9 comprise instructions used for performing the methods as claimed in

numbers 1-4 and therefore, were rejected under similar rationale. The only difference between

the two sets of claims (as presently claimed) is a single document being moved and a folder

being moved. The Examiner would like to point out the Excel 2000 data are organized in a file

structure referred to as a workbook. Each workbook may have a plurality of worksheets. A single

Excel 2000 file can contain many types of data, including one or more spreadsheets, graphics

such as charts, formatting information. The Examiner made the rejection of claims 5-9 under

similar rationale because the Sorge reference provides a means of converting a single Excel

document or a workbook containing Excel documents. The kind of information present in a

single Excel document is similar to the information present in a workbook file structure as taught

by Sorge. Therefore, the workbook provides a similar function as a folder because they both

contain content information and both relay on content management methods for moving content

from one format to another.

Conclusion

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

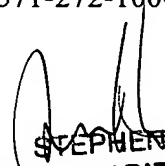CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127.

The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

STEPHEN HONG
SUPERVISORY PATENT EXAMINER

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